

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

WESTCHESTER PUTNAM COUNTIES	)	Civil Action No. 3:24-cv-00334
HEAVY & HIGHWAY LABORERS LOCAL	)	
60 BENEFITS FUND, Individually and on	)	Judge Aleta A. Trauger
Behalf of All Others Similarly Situated,	)	
Plaintiff,	)	<u>CLASS ACTION</u>
vs.	)	
	)	
SHOALS TECHNOLOGIES GROUP, INC., et	)	
al.,	)	
Defendants.	)	
	)	
OKLAHOMA POLICE PENSION AND	)	Civil Action No. 3:24-cv-00580
RETIREMENT SYSTEM, Individually and on	)	
Behalf of All Others Similarly Situated,	)	Judge Waverly D. Crenshaw, Jr.
Plaintiff,	)	Magistrate Judge Jeffery S. Frensley
vs.	)	<u>CLASS ACTION</u>
	)	
SHOALS TECHNOLOGIES GROUP, INC., et	)	
al.,	)	
Defendants.	)	
	)	
KISSIMMEE UTILITY AUTHORITY	)	Civil Action No. 3:24-cv-00598
EMPLOYEES' RETIREMENT PLAN, on	)	
Behalf of Itself and All Others Similarly	)	Judge Waverly D. Crenshaw, Jr.
Situated	)	Magistrate Judge Jeffery S. Frensley
Plaintiff,	)	<u>CLASS ACTION</u>
vs.	)	
	)	
SHOALS TECHNOLOGIES GROUP, INC., et	)	
al.,	)	
Defendants.	)	
	)	

MOTION FOR CONSOLIDATION OF RELATED ACTIONS, APPOINTMENT AS LEAD PLAINTIFF, AND APPROVAL OF LEAD PLAINTIFF'S SELECTION OF LEAD COUNSEL

Class member and proposed lead plaintiff Erste Asset Management GmbH (“Erste AM”), joined by plaintiff Kissimmee Utility Authority Employees’ Retirement Plan, moves this Court pursuant to Federal Rule of Civil Procedure 42 and the Securities Exchange Act of 1934 and Securities Act of 1933 (as amended by the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(3) and 15 U.S.C. §77z-1(a)(3)), for an Order: (1) consolidating the Related Actions<sup>1</sup>; (2) appointing Erste AM as Lead Plaintiff; and (3) approving proposed Lead Plaintiff’s selection of Robbins Geller Rudman & Dowd LLP and Motley Rice LLC as Lead Counsel.<sup>2</sup> In support of this Motion, Erste AM submits a Memorandum of Points and Authorities and the Declaration of Christopher M. Wood.

DATED: May 21, 2024

BARRETT JOHNSTON MARTIN  
& GARRISON, PLLC  
JERRY E. MARTIN, #20193

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s/ Jerry E. Martin  
JERRY E. MARTIN

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<sup>1</sup> The Related Actions are: *Westchester Putnam Cntys. Heavy & Highway Laborers Local 60 Benefits Fund v. Shoals Techs. Grp., Inc.*, No. 3:24-cv-00334 (M.D. Tenn.); *Okla. Police Pension and Ret. Sys. v. Shoals Techs. Grp., Inc.*, No. 3:24-cv-00580 (M.D. Tenn.); and *Kissimmee Utility Auth. Emps. Ret. Plan v. Shoals Techs. Grp., Inc.*, No. 3:24-cv-00598 (M.D. Tenn.).

<sup>2</sup> Pursuant to LR7.01(a)(1), the undersigned counsel conferred with plaintiffs’ counsel and defendants’ counsel regarding the relief requested in this motion. Defense counsel and plaintiffs’ counsel concur that the cases should be consolidated. Because the PSLRA permits any “purported class member . . . including any motion by a class member who is not individually named as a plaintiff in the complaint” to file a motion for appointment as lead plaintiff, 15 U.S.C. §78u-4(a)(3)(B)(i) and 15 U.S.C. §77z-1(a)(3)(B)(i), Erste AM cannot ascertain whether any other parties will also seek appointment as lead plaintiff until after the deadline expires on May 21. Accordingly, Erste AM’s counsel respectfully requests that compliance with LR7.01(a)(1) be waived as to the unknown movants. *See Franchi v. SmileDirectClub, Inc.*, 2020 WL 6479561, at \*2 (M.D. Tenn. Jan. 27, 2020) (recognizing that “requirement comes into conflict with the provisions of the PSLRA” because “no prospective lead plaintiff can determine which, if any, other parties will also move for appointment until after the deadline to file has expired” and “waiv[ing] the requirement to comply with LR 7.01(a) in this instance”).

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Proposed Lead Counsel for Proposed Lead  
Plaintiff

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on May 21, 2024, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Jerry E. Martin

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**Mailing Information for a Case 3:24-cv-00334 Westchester Putnam Counties Heavy & Highway Laborers Local 60 Benefits Fund v. Shoals Technologies Group, Inc. et al****Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

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**Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

# Mailing Information for a Case 3:24-cv-00580 Oklahoma Police Pension and Retirement System v. Shoals Technologies Group, Inc. et al

## Electronic Mail Notice List

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# Mailing Information for a Case 3:24-cv-00598 Kissimmee Utility Authority Employees' Retirement Plan v. Shoals Technologies Group, Inc. et al

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